UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/933,594	08/20/2001	Alain Rossman	3399P069CC3	6837

26529 7590 05/03/2005	EXAMINER
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ART UNIT	PAPER NUMBER
2683	

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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/933,594	ROSSMAN, ALAIN
	Examiner	Art Unit
	Keith T. Ferguson	2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>20 August 2001</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>56-133</u> is/are pending in the application.

     4a) Of the above claim(s) <u>76-96</u> is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>56-69,75,97-112 and 118-133</u> is/are rejected.

7)☒ Claim(s) <u>70-74 and 113-117</u> is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some *   c)☐ None of:

         1.☐ Certified copies of the priority documents have been received.

         2.☐ Certified copies of the priority documents have been received in Application No. _____.

         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>4/26/05</u>.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Objections

1.   Claims 66 and 109 are objected to because of the following

informalities: Claim 66, line 2, acronym "UDP" needs to be

defined.   Appropriate correction is required.   Claim 109, line

2, acronym "UDP" needs to be defined.   Appropriate correction is

required.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs

of 35 U.S.C. 102 that form the basis for the rejections under

this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published
> under section 122(b), by another filed in the United States before the
> invention by the applicant for patent or (2) a patent granted on an
> application for patent by another filed in the United States before the
> invention by the applicant for patent, except that an international
> application filed under the treaty defined in section 351(a) shall have the
> effects for purposes of this subsection of an application filed in the
> United States only if the international application designated the United
> States and was published under Article 21(2) of such treaty in the English
> language.

3.   Claims 56,67,75,102-107,110,118 and 119,123-127,131-133 are

rejected under 35 U.S.C. 102(e) as being anticipated by Pepe et

al..

The claimed invention reads on Pepe et al. as follows:

Regarding claims 56,67 and 75, Pepe et al. discloses a method

(fig. 15a and 15b) comprising: receiving a request over a

wireless network at a network node (PCI server) (col. 18 line 45

through col. 19 line 18), wherein the request originates from a

mobile device on the wireless network and is for a resource (e-

mail) (fig. 1 number 22) on a wireline network (fig. 1 number

29), and wherein the network node is coupled to the wireless

network and the wireline network (fig. 1 number 39); obtaining

the resource over the wireline network using the network node

(col. 18 line 45 through col. 19 line 18); processing the

resource in the network node to make the resource more

compatible with the mobile device or the wireless network or

both (col. 18 line 45 through col. 19 line 18); and sending the

processed resource from the network node to the mobile device

over the wireless network as a response to the request (col. 18

line 45 through col. 19 line 18).

Regarding claims 60 and 102, Pepe et al. discloses

processing the resource comprises encryption or decryption (i.e.

the PCI server verifying PDA password) (col. 16 lines 12-51).

Regarding claims 61,106,123,131, Pepe et al. discloses a

call processor (gateway server) to couple the wireless network

to the wireline data network (fig. 5 number 110).

Regarding claims 62,124,132, Pepe et al. discloses an

application server (proxy server) to proxy requests from the

mobile device to remote servers on the wireline network (col. 8

lines 48-63).

Regarding claims 63,103,125,133, Pepe et al. discloses

operating the network node to communicate with the mobile device

over the wireless network using a first protocol (col. 8 lines

48-54); and operating the network node to communicate over the

wireline network using a second protocol different from the

first protocol (col. 10 line 63 through col. 11 line 6).

Regarding claims 64 and 105, Pepe et al. discloses

operating the network node to collect transaction and billing

information relating to communication between the mobile device

and the remote processing system (col. 9 lines 40-55 and col. 27

lines 35-41).

Regarding claims 97,104,107,110,126,127, Pepe et al.

discloses a server computer/processor (fig. 4 number 43)

comprising: a processor (fig. 4 number 48); a first

communication interface to communicate with a mobile device over

a wireless network (fig. 4 number 54); a second communication

interface to communicate with a remote processing system over a

wireline data network (fig. 4 number 52); and a storage

facility storing instructions for execution by the processor to

cause the server computer to execute a process which includes

receiving a request for a resource on the wireline network from
the mobile device over the wireless network (fig. 4 number 44);
obtaining the resource over the wireline network (col. 18 line
45 through col. 19 line 18); processing the resource to make the
resource more compatible with the mobile device or the wireless
network or both (col. 18 line 45 through col. 19 line 18); and
sending the processed resource to the mobile device over the
wireless network as a response to the request (col. 18 line 45
through col. 19 line 18). Pepe et al. further discloses
receiving a request for a resource located on the wireline
data network from a mobile device of a plurality of mobile
devices (fig. 3 numbers 32,34,30) which operate On the wireless
network (col. 18 line 45 through col. 19 line 18); responding to
the request by obtaining the resource over the wireline data
network and to send the resource from the network node to the
mobile device over the wireless network (col. 18 line 45 through
col. 19 line 18); and controlling access by the mobile device to
payment-based services on the wireline data network (col. 9
lines 40-55 and col. 27 lines 35-41), including collecting
transaction and billing information associated with providing
resources on the wireline data network to the mobile device
(col. 9 lines 40-55 and col. 27 lines 35-41).

Regarding claim 118, Pepe et al. discloses a network apparatus coupled to a wireless network and to a wireline network (fig. 4) and comprising: means for receiving a request over the wireless network at the network apparatus (col. 18 line 45 through col. 19 line 18), wherein the request originates from a mobile device on the wireless network and is for a resource on the wireline network (col. 18 line 45 through col. 19 line 18); means for using the network apparatus to obtain the resource over the wireline network (col. 18 line 45 through col. 19 line 18); means for processing the resource in the network apparatus to make the resource more compatible with the mobile device or the wireless network or both (col. 18 line 45 through col. 19 line 18); and means for sending the processed resource from the network apparatus to the mobile device over the wireless network as a response to the request (col. 18 line 45 through col. 19 line 18).

Regarding claim 119, Pepe et al. discloses a method (fig. 15a and 15b) of operating a network node coupled to a wireless network and to a wireline computer network (fig. 15a and 15b), the method comprising: receiving requests for resources located on the wireline computer network from a plurality of mobile data-capable wireless commtmication devices on the wireless network (col. 18 line 45 through col. 19 line 18); responding to

the requests by using the network node to obtain the resources

over the wireline computer network and to send the resources

from the network node to the mobile data-capable wireless

communication devices over the wireless network (col. 18 line 45

through col. 19 line 18); and operating the network node to

control access by the mobile data-capable wireless communication

devices to payment-based services on the wireline computer

network (col. 9 lines 40-55 and col. 27 lines 35-41), including

collecting transaction and billing information associated with

providing resoources on the wireline computer network to the

mobile data-capable wireless commtmication devices (col. 9 lines

40-55 and col. 27 lines 35-41).

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which

forms the basis for all obviousness rejections set forth in this

Office action:

> (a) A patent may not be obtained though the invention is not identically
> disclosed or described as set forth in section 102 of this title, if the
> differences between the subject matter sought to be patented and the prior
> art are such that the subject matter as a whole would have been obvious at
> the time the invention was made to a person having ordinary skill in the
> art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

5.   Claims 57-58,65,66,68,98-101,108,120-122,128-130 are

rejected under 35 U.S.C. 103(a) as being unpatentable over Pepe

et al. in view of Scholl et al..

    Regarding claims 57-59,65,98-101,108,120-122,128-130, Pepe
et al. discloses a method/server/processing system as discussed
supra in claims 56,97,119,126 above. Pepe et al. differs from
claims 57-59,98,99,108,120,121,128 and 129 of the present
invention in that it does not disclose converting the resource
(mark-up language) from a first language used on the wireline
network to a second language used on the wireless network and a
HTTP server. Scholl et al. teaches converting a hypertext
markup language to a language used on a cellular telephone
system (col. 6 lines 4-45) and a web (HTTP) server (fig. 5
number 3). Therefore, it would have been obvious to one of
ordinary skill in the art at the time the invention was made to
modify Pepe et al. with converting the resource from a first
language used on the wireline network to a second language used
on the wireless network and a HTTP server in order for the user
of the PDA to browse the world wide on the internet of the
wireline network, as taught by Scholl et al..

    Regarding claims 66 and 109, Pepe et al. discloses a
method/server as discussed supra in claims 56 and 97 above.
Pepe et al. differs from claim 66 of the present invention in
that it does not disclose a UDP module in addition to the HTTP
server, and wherein the HTTP server uses the UDP module to
communicate data with the wireless network. Scholl et al.
teaches a TCP/IP module in addition to a HTTP server (col. 6
lines 4-31), wherein the HTTP server uses the TCP/IP to
communicate data with a cellular telephony system (col. 6 lines
4-31). Therefore, it would have been obvious to one of ordinary
skill in the art at the time the invention was made to modify
Pepe et al. with a UDP module in addition to the HTTP server,
and wherein the HTTP server uses the UDP module to communicate
data with the wireless network in order for the PDA to browse
the world wide web on the internet using a wireless internet
protocol, as taught by Scholl et al..

    Regarding claims 68 and 111, Pepe et al. discloses a

method/server as discussed supra in claims 56 and 97 above.
Pepe et al. differs from claims 68 and 111 of the present
invention in that it does not disclose a HTTP GET request.
Scholl et al. teaches a HTTP GET request (col. 5 lines 34-46).
Therefore, it would have been obvious to one of ordinary skill
in the art at the time the invention was made to modify Pepe et
al. with a HTTP GET request in order for the PDA to request a
Web page from the internet for viewing, as taught by Scholl et
al..

6.   Claims 69 and 112 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Pepe et al. in view of Shoham.

        Regarding claims 69 and 112, Pepe et al. discloses a
Method/server as discussed supra in claims 56 and 97 above.
Pepe et al. differs from claims 69 and 112 of the present
invention in that it does not disclose a URL for identifying the
resource. Shoham teaches a URL for identifying a HTML (col. 6
lines 9-20). Therefore, it would have been obvious to one of
ordinary skill in the art at the time the invention was made to
provide Pepe et al. with a URL for identifying the resource in
order for the PDA to provide an internet address when requesting
information from the internet, as taught by Shoham.

Allowable Subject Matter

7.   Claims 70-74 and 113-117 are objected to as being dependent

upon a rejected base claim, but would be allowable if rewritten

in independent form including all of the limitations of the base

claim and any intervening claims.

8.   The following is a statement of reasons for the indication

of allowable subject matter: Regarding claims 70 and 113, the

prior art of record fails to teach or suggest alone or in

combination the response to the request comprises a card deck comprising one or more cards.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Keith T. Ferguson whose telephone number is (571) 272-7865. The examiner can normally be reached on 6:30am-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (571) 272-7872. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.
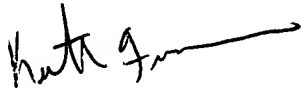
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Keith Ferguson
Art Unit 2683
April 27, 2005